

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

SATYAJIT SANYAL

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Plaintiff

*

v.

*

Case No. 1:14-cv-00960-JCC-TCB

TOYOTA MOTOR NORTH AMERICA,
INC, et al.

*

*

Defendants

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NOTICE REGARDING JOINT STIPULATION OF UNCONTESTED FACTS

Defendants Toyota Motor Sales, U.S.A., Inc., Toyota Motor Manufacturing Kentucky, Inc. and Toyota Motor Engineering & Manufacturing North America, Inc. (collectively “Defendants”), hereby provide the following notice regarding their attempts to prepare a joint statement of uncontested facts with Plaintiff.

1. This Court’s February 2, 2015 Order [Document 29] requires the parties to file a written stipulation of uncontested facts on or before May 21, 2015.

2. In an effort to comply with that Order, on May 11, 2015, counsel for Defendants drafted a proposed Joint Stipulation of Uncontested Facts and mailed it to Plaintiff, with a cover letter requesting that Plaintiff review the draft pleading and contact counsel to discuss the pleading. A copy of counsel’s letter and draft pleading are attached hereto as Ex. 1.

3. Plaintiff did not respond to the May 11, 2015 letter. Counsel for defendant therefore called in an attempt to speak with Plaintiff on May 19, 2015 and May 20, 2015. Plaintiff did not answer the phone, and counsel for Defendant left voice mail messages asking that Plaintiff contact him to discuss the draft Joint Stipulation of Uncontested Facts.

4. Plaintiff did not respond to counsel’s voice mail messages.

5. On the afternoon of May 20, 2015, Plaintiff filed, and hand-delivered to counsel for Defendants, Plaintiff's Memorandum, Statements and Responses Including Opposition to Defendant's [sic] Toyota Motor Sales, U.S.A., Inc., Toyota Motor Manufacturing Kentucky, Inc. and Toyota Motor Engineering & Manufacturing North America, Inc.'s Joint Stipulation of Uncontested Facts [Document 45] (Plaintiff's Memorandum"). For the Court's convenience, a copy of Plaintiff's Memorandum is attached hereto as Exhibit 2.

6. Plaintiff's Memorandum makes clear that he refuses to agree that any of Defendants' uncontested facts are, in fact, uncontested. Plaintiff does not make any counterproposals for possible uncontested facts.

7. Because of Plaintiff's failure to respond to Defendants' attempts to reach agreement on a stipulation of uncontested facts, and refusal to participate in the process of developing a stipulation of uncontested facts, Defendants are unable to comply with that portion of the Court's February 2, 2015 Order.

/s/ Joel A. Dewey

Joel A. Dewey

Virginia Bar # 37319

Paul J. Day (admitted *pro hac vice*)

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Kentucky, Inc. and Toyota Motor Engineering &
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 2015, a copy of the foregoing Notice Regarding Joint Stipulation of Uncontested Facts was served, first-class postage prepaid, on:

Satyajit Sanyal
11654 Plaza America Drive, #622
Reston, Virginia 20190

Pro Se Plaintiff

/s/ Joel A. Dewey
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